



### AGENDA ITEM FORM

TYPE OF AGENDA ITEM:

- CONSENT AGENDA
- PRESENTATION
- ACTION ITEM
- TOWN MANAGER & STAFF COMMENTS
- PUBLIC HEARING
  - Duly Advertised

PURPOSE OF ITEM:

- INFORMATION ONLY
- DISCUSSION ONLY
- DISCUSSION AND/OR DECISION
  - Introduction       Resolution
  - Ordinance         Grant/MOU
  - By Motion          Bylaws

PRESENTER: David Moss

PRESENTER TITLE: Town Planner/Zoning Administrator

AGENDA ITEM: Site Plan #SP11-002, Grace Church

BACKGROUND / SUMMARY:

Planning Commission recommends approval.

ATTACHMENTS: Staff Report with Site Plan  
Resolution to Approve

REQUESTED ACTION: Vote to Approve

NO ACTION REQUESTED

FOR MORE INFORMATION, CONTACT: Name:

Phone#:

E-mail:

*FOR USE DURING MEETING*

VOTE:

PASSED

NOT PASSED

Y	N		Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Barr	<input type="checkbox"/>	<input type="checkbox"/>	Foreman	<input type="checkbox"/>	<input type="checkbox"/>	Forrester
<input type="checkbox"/>	<input type="checkbox"/>	Jurgensen	<input type="checkbox"/>	<input type="checkbox"/>	Toney	<input type="checkbox"/>	<input type="checkbox"/>	Washington
<input type="checkbox"/>	<input type="checkbox"/>	West						



## DUMFRIES, VIRGINIA

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**To:** Town Council

**From:** David Moss, Town Planner

**Date:** December 29, 2011

**RE:** Proposed Site Plan for Grace Church  
1006 Williamstown Road  
GPIN 8189-91-2623

### STAFF REPORT

Final Site Plan #SP11-002, Grace Church  
Staff Recommendation: Approval

#### **I. Site Plan Review:**

- A. Applicable Regulations – The Site Plan must be reviewed solely on regulations adopted by the Town. The only ordinance adopted by the Town that contains regulations pertinent to site plans is the Zoning Ordinance. Section 70-537 regulates the site plan based on district standards, therefore imposing by reference the standards contained in Sections 70-247 through 70-256 for B-1 zoned properties. Section 70-541 includes specific improvement standards that regulate any proposed development presented as a site plan. In addition, the site is located within the Chesapeake Bay Preservation Area Overlay District, and is therefore also subject to Sections 70-446 through 70-448 and Sections 70-451 through 70-453. Therefore the only regulations which can be used to analyze a site plan for approval or denial are contained in Sections 70-247 through 70-256, Sections 70-446 through 70-448, Sections 70-451 through 70-453, and 70-541.
- B. Staff review – The site plan has been reviewed by the Zoning Administrator, the Director of Public Works, and the Assistant Director of Public Works.
1. Zoning Administrator Review – below is a chart analyzing the applicable regulations from the Zoning Ordinance and the status of the site plan in conforming to these regulations.

70-247	Use regulations	Use becomes lawfully nonconforming upon issuance of a Certificate of Occupancy. Date of lawful nonconformity is September 20, 2011. Rights are vested based on the approval of the preliminary site plan prior to that date, and subsequent due diligence and investment on the part of the developer.
70-248	Area regulations	Meets regulation.
70-249	Frontage regulations	Meets regulation.
70-250	Setback regulations	Meets regulation.
70-251	Yard regulations	Does not apply.
70-252	Height regulations; maximum structure limitation	Meets regulation.
70-253	Corner lots	Meets regulation.
70-254	Site plan	Meets regulation.
70-255	Conditional use permit	Does not apply.
70-256	Provision for screened trash receptacles	Meets regulation.
70-446	Use regulations	Meets regulation.
70-447	Lot size	Meets regulation.
70-448	Required conditions	Meets regulation.
70-451	Performance standards	Meets regulation.
70-452	Water quality impact assessment	Meets regulation.
70-453	Plan of development	Meets regulation.
70-541	Improvements; standards	Meets regulation.

2. Public Works Review – The Department of Public Works reviewed the site plan, and had no comments beyond those submitted by Rinker Design Associates.
  3. Rinker Design Associates – A copy of the site plan was sent to Rinker Design Associates, a consulting engineering firm on contract with the Town to provide site plan review services. Rinker Design Associates analyzed the site plan for conformance to the applicable regulations, and reviewed the Water Quality Impact Assessment required by Section 70-452. Comments from Rinker Design Associates were transmitted to the applicant. The amended site plan received by Town Staff shows that the issues have been addressed.
- C. Outside Agencies – For site plan reviews, the Town sends the proposed site plan to various outside agencies who review certain aspects of certain plans. Not all plans are sent to all outside review agencies. Which outside review agencies receive the site plan for review is based on the presence of certain conditions of the site, for instance the presence of wetlands or the development of a property fronting on a State-maintained roadway.
1. VDOT – A review by VDOT is required by this particular site plan due to the property fronting on Route 1, which is a state-maintained roadway. Comments

from VDOT were transmitted to the applicant. The amended site plan received by Town Staff shows that the issues have been addressed.

2. Army Corps of Engineers – A review by the Army Corps of Engineers is required by this particular site plan due to the presence of wetlands and/or resource protection areas on the property. The sole comment from the Army Corps of Engineers is that a wetlands permit is required. Comments from the Army Corps of Engineers were transmitted to the applicant. This requirement will be addressed after site plan approval.
  3. Prince William County Service Authority – A review by the Prince William County Service Authority is required by this particular site plan due to the presence of utilities and construction that will affect these utilities. Comments from the Prince William County Service Authority were transmitted to the applicant. The amended site plan received by Town Staff shows that the issues have been addressed.
- D. Planning Commission – The Planning Commission reviewed the site plan at the December 12, 2011 Planning Commission meeting. The Planning Commission recommended approval subject to the developer receiving a wetlands permit from the Army Corps of Engineers. The developer is required by Federal law to apply for and receive a wetlands permit, and therefore the addition of this language to the approval would be redundant and inappropriate. The language could be construed as requiring a wetlands permit prior to site plan approval. Wetlands permits should not be issued until after site plan approval. Follow-up to ensure that the appropriate wetlands permit is received by the developer is an administrative duty that staff will handle, and therefore the language should not be added to the approval for the purposes of clarity.

**II. Issues in order of importance are as follows:**

- A. Zoning Ordinance Regulations – Is the site plan in conformance with regulations contained in the Zoning Ordinance?

**III. Alternatives beginning with the staff recommendation are as follows:**

- A. Approve Final Site Plan #SP11-002, Grace Church.
  1. Zoning Ordinance Regulations – The site plan is in conformance with regulations contained in the Zoning Ordinance.
- B. Deny Final Site Plan #SP11-002, Grace Church.
  1. Zoning Ordinance Regulations – If the Town Council believes that the site plan is not in conformance with regulations contained in the Zoning Ordinance, the recommendation for denial must spell out in explicit terms which regulation is not

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Grace Church

Town Council Meeting  
January 3, 2012  
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being conformed to, and this reason must be transmitted in writing from the Town to the applicant upon denial of the site plan.

**IV. Recommendation is that the Town Council accepts Alternative A and approves Final Site Plan #SP11-002, Grace Church.**

**Attachments**

Resolution to Approve  
Site Plan

**At a regular meeting of the Dumfries Town Council held on Tuesday, January 3, 2012 in Council Chambers, 17755 Main Street, Dumfries, Virginia: On a motion duly made by \_\_\_\_\_, and seconded by \_\_\_\_\_, the following Resolution was adopted by the following vote:**

Nancy H. West, \_\_\_;  
Willie J. Toney, \_\_\_;  
Dorothea Barr, \_\_\_;  
Gerald M. Foreman, II, \_\_\_;  
Kristin W. Forrester, \_\_\_;  
Michele Jurgensen, \_\_\_;  
Gwen P. Washington, \_\_\_;

**A RESOLUTION TO APPROVE SITE PLAN #SP11-002, GRACE CHURCH**

**WHEREAS**, a site plan (#SP11-002, Grace Church) has been submitted for the property known as GPIN 8189-91-2623 for a religious institution; and

**WHEREAS**, the site plan was reviewed by Town staff and external agencies for conformance with all applicable federal, state, and local codes; and

**WHEREAS**, the Town of Dumfries Planning Commission reviewed the site plan at their December 12, 2011 meeting, and recommended that Town Council approve the site plan; and

**WHEREAS**, the Dumfries Town Council finds that the site plan is in conformance with the Town of Dumfries Zoning Ordinance;

**NOW, THEREFORE BE IT ORDAINED** by the Council of the Town of Dumfries on this the 3<sup>rd</sup> day of January, 2012 that the site plan #SP11-002, Grace Church, is hereby approved.

Approved by Town Council this 3<sup>rd</sup> day of January, 2012.

By: \_\_\_\_\_  
Nancy H. West, Mayor

Attest: \_\_\_\_\_  
Dawn Hobgood, Clerk

(This page is a placeholder for site plans added as part of the official packet available in Town Hall and distributed only to the Town Council in physical form)